

**DOWNTOWN COMMUNITY PLANNING COUNCIL  
MINUTES OF THE MEETING OF MAY 20, 2020  
Zoom Meeting 875 0874 8642 (recorded)**

**Call to Order:** Chair Bill Orabone (President) @ 5:30 pm.

1. **Roll Call:** Noted that 24 of 27 current members were present, constituting a quorum.
  - **Members Present @ Call to Order:** Ahmed, Baker, Barbano, Collin, DiFrancesca, Dion, Duke, Eddy, Egan, Gattay, Hunt, Link, Maliepaard, Moore, Orabone, Pensabene, Priver, Ramos, Russell, Swearingen, Takara, Trimble, Wery, Wilson-Ramon
  - **Late Arrival:** none
  - **Members Absent:** Blair, Meloncelli, Segal
  - **Early Departure:** Hunt, Priver
  
2. **Public Comments on Non-Agenda Items –**
  - None
  
3. **Elected Representative Comments**
  - Chevelle Tate ([Chevelle.Tate@sen.ca.gov](mailto:Chevelle.Tate@sen.ca.gov)) on behalf of State Senator Toni Atkins.
    - Focusing on COVID. Physical offices open.
    - \$54B budget deficit. Rainy day funds to minimize cuts, details available on line
    - Ahmed question – Restaurants are suffering - Is State evaluating intangible losses? CT - Yes.
  - Randy Wilde ([Randy.Wilde@asm.ca.gov](mailto:Randy.Wilde@asm.ca.gov)) On behalf of State Rep Todd Gloria.
    - Permits are being issued external to normal Restaurant facilities to help with social separating, seating capacity
    - Highlighted Gov Newsom Great Plates Food Delivery for Seniors <https://covid19.ca.gov/restaurants-deliver-home-meals-for-seniors/>
    - Budget available at [www.ebudget.ca.gov](http://www.ebudget.ca.gov)
    - Trimble questions: 501(c)6 relief in next round – RW – not known
    - Question 2 – RW – No specific known, will reply
  - Brittany Bailey ([BNBailey@sandiego.gov](mailto:BNBailey@sandiego.gov)) On behalf of City Councilmember Chris Ward
    - City budget Money is available to stabilize expenses
    - Revenues disrupted, e.g TOT from hotels and restaurants
    - Final budget discussions upcoming next two weeks
    - City has some access/flexibility with Federal CAREs act monies Ward proposes \$85M rental subsidy fund
    - \$12.5M round of funding – Ward is looking for examples of best use
    - Board member questions:

- (Egan) Convention Center population plans BB: objective is to move everyone strategically to permanent housing
- (Egan) will failure cause parts of downtown to not open, eg - convention center BB: Intent is not to keep closed.
- (Ahmed) concerned with inappropriate use of convention center BB: realize it needs to be reopened, keenly aware we need to balance County/State orders.

#### 4. Approval of 15 APR 2020 Meeting Minutes

- No questions. Minutes approved unanimously

#### 5. Chairpersons, Subcommittee, Liaison reports

### Information Items

#### 6. Project Updates (Brad Richter)

- Brad Provided COW (ZOOM) training 4:30 – 5:30 prior to this evening DCPC meeting
- For alternative on line interactive powerpoint training - Please follow the link for the eCOW training in the Planning department website:  
<https://www.sandiego.gov/planning/community/resources>
  - In the middle of the page please follow the instructions for the interactive training and completion form submission instructions:
  - [Electronic Community Orientation Workshop \(E-COW\)](#)
  - [Community Planning Group members can take the !\[\]\(4e333a6106fc298d0ae6dff272a736ef\_img.jpg\) \[Electronic Community Orientation Workshop\]\(#\) online at their convenience. If you do not already have Adobe Reader, please download \[here\]\(#\) \(This will assist with the E-COW Completion Form\)](#)
- Final Action heard by Civic San Diego is week of 25 May. Following that hearing Civic is out of the Development business
  - Projects to be considered:
    - Park & Broadway
    - 1425 Market highrise
    - Pacific & Grape
    - CA Theater
    - 9<sup>th</sup> & G
  - 14<sup>th</sup> Street Promenade at Albertson's has started. Will include Bob Sinclair artifacts
  - Children's Park funded and moving forward (5/20/20 out for bids). 1 year completion
  - EV Green funding and moving forward (6/20/20 out for bids). 2 years completion
  - Campus @ Horton – financing, construction is progressing
  - Downtown Mobility Plan progressing

- Beech & 6<sup>th</sup>
- C Street cycle track
- Pacific Highway south of Laurel
- Parking Projects
- Board Member Questions
  - (Leah) Excited with absence of Lime Bikes and Scooters. BR: Some companies pulled out due to rules, impound expenses. Unsure when return or new companies
  - (Gatley) Horton Plaza is fenced with signs pointing to Jimbos
  - (Maliepaard) what is going in across from Smart and Final

**7. Smart Streets Update (Nicole Burgess, Slow Streets Coalition (12 organizations with the City))**

- Safe ways and safe movement for essential workers overview
- (DCPC member Hunt (Bicycle Coalition)) expressed appreciation

**Consent Items – None**

**Action Items**

**8. Burgeon Beer, 1326 Kettner Ave – CUP for brewer tasting room with the sale of alcoholic beverages for off-site consumption and 400sf street level outdoor patio**

- Representing Staff Report – Nicole Pare
- Representing Developer – Matthew Zirpolo
- Bill Orabone referred to Staff Report
- Board Member Ahmed reported that he attempted to visit location and was unsuccessful finding the reported address. Dion offered that City policy is to issue new addresses to locations incorporated with existing complexes. The location is within the Savina High Rise building. No further questions.
- Orabone noted that SDDRG voted in favor of the project.
- There were no further issues.
- **Motion made (Russell) to accept the Staff Report and recommendations and seconded (Ahmed). DCPC unanimous vote in favor, 22-0.**

**9. AC Hotel CUP, 743 5<sup>th</sup> Ave – CUP for live entertainment on 1<sup>st</sup> floor and roof deck**

- Representing Staff Report – Nicole Pare
- Bill Orabone referred to Staff Report
- Supporting Developer – Bill Adams (attorney),
  - i. Replacing TGI Fridays, Deccos, McFaddens

- ii. Marriott Hotel similar to Pendry (upscale)
  - iii. Represented “Love Story” to be upscale lounge experience
  - iv. Commitment not to lease venues
  - v. (Trimble question) Hours of rooftop request consistent with neighborhood, Gaslamp? (Ardizzone) – pushed noise to 5<sup>th</sup> Ave and other acoustics
  - vi. (Trimble) Outreach to neighbors. Reply – continuing
- Sound Study presentation (Sanavi, History: SDSU Grad, City Noise Advisory Board, Code Enforcement (1980’s))
  - i. Presented Ambient noise results
  - ii. Highlighted noise abatement to 6<sup>th</sup> including AC equipment, plants, canopies
  - iii. Explained sound level, audio designed for project at various heights, recognized that main control is volume control
  - iv. (Ramos) concern with conflicting noise compared with Theater Box. (Ardizzone reply) AC Hotel is 15-20’ higher, should be user focused sound, not “dueling pianos”.
  - v. (Nicole Pare) clarified that Theater Box has no roof top live entertainment, recorded only.
  - vi. (Link) repeated concern with noise to 6<sup>th</sup> (Adams reply) – only 4 residences
  - vii. (Orabone) Noted SDDRG asks for standard hours. 10 pm weekdays, 11 weekends
  - viii. (Nicole Pare) recommended additional sound study after construction to verify noise levels
  - ix. (Ardizzone) Amplification Design is directed away from residential
  - x. (Adams) offered that there are no residences within 300’.
    - x.1. None in a straight line.
    - x.2. Roof top design has no history of noise complaints
    - x.3. Smaller than Pendry, Hard Rock
    - x.4. Better operator for this unique site, extra effort to get it right
    - x.5. To 1:30 am limited use permit and require continuous monitoring and record keeping for review period.
- Board Discussion:
  - i. (Wery) Require applicant to pay for enforcement if neighbor noise complaints?
  - ii. (Orabone) continuous monitoring, post approval sound study as offered by applicant
  - iii. (Baker) Is 1:30 opening the door to prior 11:00 approvals to extend their hours?
    - iii.1. (Adams reply) already uneven landscape, some already to 1:30
    - iii.2. (Nicole) – no other to outdoor entertainment to 1:30. Reconfirmed need for second sound study.
- **Motion to Approve requested hours 1<sup>st</sup> (Gathey), 2<sup>nd</sup> (DeFrancesca)**
  - i. (Trimble) abstained as Director of Gaslamp Org. but noted in favor

- ii. (Eddy) request for friendly amendment:
  - ii.1. 1:30 live entertainment
  - ii.2. ABC Acoustics conditions
  - ii.3. Continuous Monitoring / Record Keeping
  - ii.4. Review Period
  - ii.5. (Ramos) expressed concern that 1:30 would be precedent setting
  - ii.6. (Wilson-Ramon) concern with lack of code enforcement at 1:30, fact that other venues would ask for 1:30
  - ii.7. (James Alexander) suggested moving entertainment indoors after normal closing hours
  - ii.8. (Link) opposed unless friendly amendment accepted.
  - ii.9. Gattey accepted friendly amendment. Orabone clarified that monitoring period is typically 6 months.
- **Vote called and failed 4-16 with Gattey, DiFrancesca, Maliepaard, Russell voting for, Trimble abstained, Hunt and Priver departed meeting prior to vote.**
- **Second motion presented by 1<sup>st</sup> (Wery) 2<sup>nd</sup> (Wilson-Ramon)**
  - i. **To 10pm weekdays, 11 pm weekend**
  - ii. **(Pablo) described both 11 pm and 1:30 am as extremes for Gaslamp Quarter and offered a friendly amendment of Sunday – Thursday 11 pm, Fri, Saturday, Sunday followed by holiday, 12 midnight. Friendly amendment accepted by Wery**
  - iii. **(Eddy) requested clarification that it included ongoing monitoring – yes**
- **Motion with friendly amendment passed 17-2 with no votes by Takara, Ahmed**

#### 10. Cedar Park, 1565 India – PDP, NUP for new restaurant with outdoor seating

- Representing Staff Report – James Alexander (process 4 permit)
- Representing Developer – Marin Gertler
- Bill Orabone referred to Staff Report
- Gertler described as no major design change since 2019 DCPC review/approval
- Sliding doors installed to enclose rooftop deck
- (Barbano) reported that PreDesign is in favor of approval
- No further discussion
- Motion (Barbano), 2<sup>nd</sup> (Takara) – move in favor of approval of staff report recommendation
  - i. (Eddy) – good addition to design
  - ii. (Orabone) Last revisions cleaned up Cedar encroachment.
  - iii. (Orabone) shared SDDRG concerns re Trash Pickup, Exhaust Fumes, noted no residential in immediate area.

- **Vote called after no further discussion – motion passed unanimously 17-0. Early Departures other than Hunt, Priver not recorded. 5 missing votes noted.**

## **MISCELLANEOUS**

### **11. Potential Agenda Items and Member Comments –**

- (Ahmed) requested Convention Center Item for next meeting re resolution of its use as homeless shelter with deadline for homeless evacuations
  - i. (Ramos) recommended that issue be referred to Social Committee. Orabone concurred and will follow up.

### **15. Urgent Non-Agenda Items – none noted.**

**Meeting Adjourned 7:57pm.** Next meeting Wednesday 17 JUN 2020 (Zoom)